

## **REMARKS**

The present filing is responsive to the Office Action.

### **Summary of the Response**

Claims 1, 4-6 and 8-9 have been amended. Claim 3 has been canceled. Claims 1, 2 and 4-9 remain pending in this application. Reexamination and reconsideration of the present application as amended are respectfully requested.

### **Drawings**

Fig. 1 has been amended to identify it as "Prior Art". The objection is therefore overcome.

### **Specification**

The title has been amended to be more descriptive.

The written disclosure has been amended to address the informalities noted by the Examiner.

The objections to the specification are therefore overcome.

### **Claim Rejections Under 35 USC 112**

Claim 3 has been canceled, and claim 4 has been amended to depend from claim 1. The rejection is overcome.

### Claim Rejections Under 35 USC 102

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Moon et al. (US 2002/0089623). This rejection is respectfully traversed.

Independent claim 1 as amended recites the phase difference forming means comprises a retarder and a stepwise member on opposite sides of the first substrate, which is on the backlight arranging side. This structure is supported by Fig. 3(b) and embodiment 3 disclosed in the specification, beginning at paragraph [57]. In the described embodiment, a retarder 12h and a stepwise member 12f are on opposite sides of the substrate 12a which is on the side of the backlight 11 (see also Fig. 2).

Applicant respectfully submits that Moon does not teach a retarder and a stepwise member on opposite sides of the first substrate on the side of the backlight. Moon simply does not contain any disclosure of a stepwise member as part of a phase difference forming means. Accordingly, claim 1 as amended and all its dependent claims are not anticipated by Moon. In addition, the dependent claims add further limitations that further distinguish the invention from Moon.

### Claim Rejections Under 35 USC 103

Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moon et al. (US 2002/0089623) as applied to claim 1 above, and further in view of Ozawa et al. (US 2004/0004681). Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moon et al. (US 2002/0089623) as applied to claim 1 above, and further in view of Ha et al. (US 2001/0017679). These rejections are respectfully traversed.

Given the traversal of independent claim 1, the obviousness rejections of the dependent claims are therefore rendered moot. Further, none of the secondary references, Ozawa and Ha, makes up for the deficiencies of Moon. Like Moon, neither Ozawa nor Ha contain any disclosure of a stepwise member as part of a phase difference forming means.

## **CONCLUSION**

In view of all the foregoing, Applicant submits that the claims pending in this application are patentable over the references of record and are in condition for allowance. Such action at an early date is earnestly solicited. **The Examiner is invited to call the undersigned representative to discuss any outstanding issues that may not have been adequately addressed in this response.**

The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this transmittal and associated documents, or to credit any overpayment to **Deposit Account No. 501288** referencing the attorney docket number of this application.

Respectfully submitted,

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Attachments:  
(1) Replacement Sheet  
(1) Annotated Sheet